

## ORDINANCE NO. 2013-02

**AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING CHAPTER 10.20, SECTION 10.20.060 (HANDICAP PARKING) OF THE SEDONA CITY CODE BY ADDING PROVISIONS FOR ENFORCEMENT OF HANDICAP PARKING DESIGNATIONS ON PRIVATE PROPERTY; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE SEDONA CITY CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE; AND DESCRIBING PENALTIES THERETO.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, AS FOLLOWS:

### *Section 1. Amendment of Section 10.20.060 of the Sedona City Code*

Section 10.20.060 is hereby amended with editorial changes to subsection A, and addition of new subsection B as follows:

#### *10.20.060 Parking in areas reserved for the handicapped.*

*A. It is a civil traffic violation, pursuant to A.R.S. Section 28-884, for any person who is not qualified by statute to park any vehicle in an area reserved for the handicapped and designated in accordance with A.R.S. Section 28-882 and the current Manual on Uniform Traffic Control Devices (MUTCD) as adopted by the Arizona Department of Transportation.*

***B. Parking spaces marked in the manner provided in A.R.S. Section 28-882 and the current Manual on Uniform Traffic Control Device may be designated on privately owned property. Any person or business that designates such parking spaces as provided herein shall be deemed to have given consent to authorize police officers and other duly authorized agents to enforce the provisions of this section and shall constitute a waiver of any objection by the owner or person in possession of such property to the enforcement of this section.***

### *Section 2. Repeal*

All ordinances or parts of ordinances or any part of the Sedona City Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

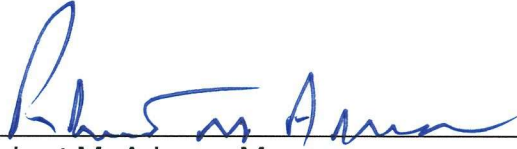
### *Section 3. Savings Clause*

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

Section 4. Penalty

Any person violating any provision of this Section 10.20.060 concerning enforcement of handicap parking on private property shall be issued a complaint for a civil traffic violation pursuant to Section 1.15.010.D (Penalties – Civil Citation Authority) of the Sedona City Code.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona this 12<sup>th</sup> day of March, 2013.

  
Robert M. Adams, Mayor

ATTEST:

  
Susan L. Irvine, City Clerk

APPROVED AS TO FORM:

  
Mike Goimarac, City Attorney